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Dkt. 57155-AA/JPW/BJA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Christophe P.G. Gerald, et al.
Serial No.: 09/866,248
Filed: May 25, 2001
For: DNA Encoding Mammalian Neuropeptide FF (NPFF)
Receptors And Uses Thereof

1185 Avenue of the Americas
New York, New York 10036
August 7, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO JULY 6, 2001 NOTICE TO COMPLY WITH REQUIREMENTS FOR
PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE DISCLOSURE

This Communication is submitted in response to the July 6, 2001 Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to this July 6, 2001 Notice is due September 6, 2001. Accordingly, this Communication is being timely filed.

The Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures indicates that a computer readable format Sequence Listing has not been submitted for the above-identified application as required by 37 C.F.R. §1.821. Applicants attach hereto a copy of the Notice as **Exhibit A**. In response Applicants respectfully draw

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attention to the computer readable format Sequence Listing submitted in connection with the above-identified application on May 25, 2001. Receipt of the computer readable format Sequence Listing by the United States Patent and Trademark Office is evidenced by the return postcard of which a photocopy is annexed as **Exhibit B** hereto. The return postcard was mailed with the computer readable format Sequence Listing on May 25, 2001, and subsequently received back by mail by applicants' attorneys. The return card bears indicia of receipt by the United States Patent and Trademark Office. No item listed on the postcard was crossed off.

As stated in M.P.E.P. §503, "A postcard receipt which itemizes and properly identifies the items which are being filed serves as *prima facie* evidence of receipt in the PTO of all the items listed thereon on the date stamped thereon by the PTO." The cited section of the Manual further sets forth that an item listed on a return postcard but not received by the PTO will be crossed off on the postcard by the person receiving the items in the PTO. Applicants take this as evidence that the computer readable format Sequence Listing was received by the United States Patent and Trademark Office.

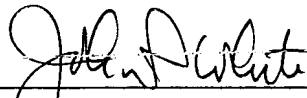
However, in an effort to expedite examination of the above-identified application, applicant's submit a duplicate computer readable format Sequence Listing as **Exhibit C**. Applicants submit as **Exhibit D** hereto a paper copy of the Sequence Listing and a Statement in accordance with 37 C.F.R. §1.821(f) as **Exhibit E**.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invite the Examiner to telephone him at the number provided below.

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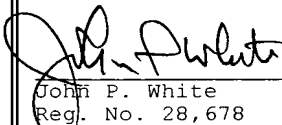
No fee is deemed necessary in connection with the filing of this Communication. If any other fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White
Registration No. 28,678
Attorney for Applicants
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New York, New York 10036
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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

 8/7/01
John P. White Date
Reg. No. 28,678



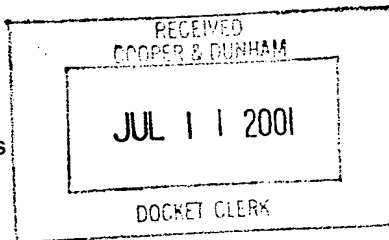
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

JPW

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/866,248 ✓	05/25/2001	Christophe P.G. Gerald	1795/57155-AA JPW/BJA

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CONFIRMATION NO. 6169

FORMALITIES LETTER



OC000000006267152

Date Mailed: 07/06/2001

2m. 9.6.01
3m. 10.6.01
4m. 11.6.01
5m. 12.6.01
6m. 1.6.02

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

AP

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

Applicants: Christophe P.G. Gerald et al
U.S. Serial No.: 09/866,248
Filed: May 25, 2001
Exhibit A



Applicant Christophe P.G. Gerald, et al.

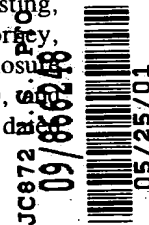
Client Synaptic (1795) File No 57155-AA Atty JPW/BJA

Date May 25, 2001

Kindly acknowledge receipt of the accompanying

New continuation application of Christophe P.G. Gerald et al., for DNA ENCODING MAMMALIAN NEUROPEPTIDES FF (NPFF) RECEPTORS AND USES THEREOF, including specification (132 pgs.), claims (33 pgs.), abstract (1 pg.), figures (21 pgs.), duplicate set of figures, Sequence Listing, CRF Sequence Listing, Statement in Accordance with 1.821(f), Declaration and Power of Attorney, transmittal letter in triplicate, Preliminary Amendment and Information Disclosure Statement, Form PTO-1449 (Exhibit 1), check in the amount of \$1844.00, by Express Mail Certificate of Mailing bearing the label No. EL628787487US, dated May 25, 2001.

by placing your receiving date stamp hereon and returning to us.



Applicants: Christophe P.G. Gerald et al
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Exhibit B